



W.P.(MD).No.662 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.662 of 2024

and

W.M.P.(MD).Nos.665, 666 & 10484 of 2024

K.Muthu

... Petitioner

VS

The Sub-Collector,
Padmanabhapuram,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records on the file of the respondent pertaining to its proceeding in Roc.No.A4/2050/2023 dated 31.03.2023 and to quash the same and consequently directing the respondent to revoke the suspension order by considering the representation dated 09.08.2023 in the light of G.O.(Ms).No.81, Human Resources Management (N) Department dated 04.08.2022.

For Petitioner

: Mr.SC.Herold Singh

For Respondent

: Mr.S.S.Madhavan,
Government Advocate



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ORDER

The instant writ petition has been filed by a Village Administrative Officer, challenging his order of suspension passed by the respondent herein on 31.03.2023, in view of his involvement in Vigilance and Anti-Corruption case.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner has been falsely implicated in the case. He has sent a representation on 04.08.2023, seeking revocation of his suspension. So far, the said request has not been considered by the authorities.

3. The learned Counsel appearing for the writ petitioner has also relied upon the government order in G.O.Ms.No.81, Human Resources and Management(N) Department dated 04.08.2022, wherein it is stated that, the suspension orders have to be reviewed periodically, even in cases where the employees are involved in Vigilance and Anti-Corruption proceedings.



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4. Per contra, the learned Government Pleader appearing for the respondent strongly objected for any reconsideration of the suspension and contended that the petitioner is involved in Vigilance and Anti-Corruption proceedings and therefore, the question of revocation of suspension at this point of time does not arise.

5. Considering the above said facts, this Court cannot interfere with the order of suspension and this Court directs the respondent herein to consider the request of the petitioner dated 04.08.2023 for revocation of the order of suspension, in the light of clause VIII, XI and X and Paragraph No.11 of the G.O.Ms.No.81, Human Resources Management (N) department dated 04.08.2022 and pass orders on merits in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order. In the meantime, the respondent is directed to release the eligible subsistence allowance to the petitioner on production of appropriate certificate.



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6. With the above said observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

24.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
gvn

To

The Sub-Collector,
Padmanabhapuram,
Kanyakumari District.



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R.VIJAYAKUMAR,J.

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